

**CITY OF NICKERSON  
15 N. NICKERSON  
NICKERSON, KS 67561**

**REGULAR COUNCIL MEETING**

**Monday, June 17, 2013**

**MAYOR:** Jim Gladden

**COUNCIL:** Brad Berridge – President, Linda Fleming, Jim Koon, Mike McLemore, Brian Rife, Jon Rohling

**EMPLOYEES**

**PRESENT:** Robin Schmitt, Mark Gomes, Phyllis Richardson

**GUESTS:** Chuck Beth, Dan Schmitt, Peggy Schrag-Wolfe, Gary Graber

**ATTORNEY:** Stan Juhnke

**ROLL CALL:** Berridge, Rohling, Koon, Rife, Fleming, McLemore

**ABSENT:** Mayor Gladden

The Regular City Council meeting was called to order by Council President Berridge at 7:00 p.m. on Monday, June 17, 2013 at Nickerson City Hall.

**APPROVAL OF MINUTES, AGENDA, & PAYABLES – each item limit to 15 minutes**

Motion made and seconded by Council Member McLemore and Council Member Koon to approve the June 3, 2013 Minutes. Motion carried by the following vote: **YES:** McLemore, Rohling, Koon, Rife, Fleming, Berridge, **NO:** None

Motion made and seconded by Council Member Fleming and Council Member Rife to approve the Agenda with the following change; table #1 under New Business, Code Enforcement Discussion. Motion carried by the following vote: **YES:** Berridge, Fleming, Rife, Koon, Rohling, McLemore, **NO:** None

Motion to approve the June 17, 2013 payables was made and seconded by Council Member McLemore and Council Member Rohling. Motion carried by the following vote: **YES:** Rife, Koon, Rohling, McLemore, Fleming, **NO:** None  
**ABSTAIN:** Berridge,

**CITY ATTORNEY** Stan Juhnke

**PUBLIC COMMENTS** – None

## OLD BUSINESS

**Baldwin Combine and Historical Marker** – Council Member Rohling reported that there is a meeting scheduled for tomorrow at 12 noon here at the City office with Council Member Fleming, Council Member Rohling, Gordon Roth, and Jeff Snowden and his associates, to discuss the placement of the combine and the marker.

**Chamber of Commerce** – Peggy Schrag-Wolfe provided the Council with information about the Klear Nearly Days celebration. Peggy reported that she has received permission from the State to close K-96 for the parade. KWCH morning crew will be the judges this year for the parade and Peggy invited and encouraged all of the Council members and the Mayor to participate in the parade. There will be a car show with upwards of 50 cars. The first annual Oink and Cluck BBQ cook-off will be held this year as well as the first UFC (Ultimate Farmer Competition) with several competitions such as throwing hay bales.

Motion was made and seconded by Council Member Rohling and Council Member Fleming to donate \$200 as well as pay the \$25 membership fee to the Nickerson Chamber of Commerce. Motion carried by the following vote:

**YES:** Koon, Rife, Fleming, Berridge, McLemore, Rohling, **NO:** None

## NEW BUSINESS

**Code Enforcement Discussion** – Tabled

**Gun Law Discussion** – The Legislature and Governor Brownback signed HB 2052 which authorizes the carry of concealed weapons in state and municipal buildings effective July 1, 2013. Under the provisions of this bill, cities have the following choices:

1. Remove the no-carry signs and allow concealed carry in city buildings.
- or
2. In order to continue posting the buildings as no carry, the city must provide metal detectors or wands and personnel at each public entrance.

Public entities will be exempted from liability for the actions or omissions of concealed carry permit holders if:

1. The entity provides door security and posts the buildings as no-carry
- or
2. The entity allows concealed carry in their buildings.

The entities have the option of allowing their non-law enforcement employees, who have conceal carry permits, to carry concealed handguns while on their premises.

City Clerk Schmitt reported that the City's insurance company, EMC, has no opinion and will not raise the insurance premiums if the Council chooses to allow employees to carry.

Motion was made and seconded by Council Member Rife and Council Member Rohling to remove the no-carry signs and allow concealed carry in City buildings including changing the Personnel Manual to reflect the employee's ability to carry concealed weapons for self defense effective July 1, 2013. The Personnel Manual will be updated to state: "*The City of Nickerson will also allow non-law enforcement employees, who provide and file with the City Clerk a copy of their valid and current Conceal Carry Permit, to carry concealed handguns while on City property and while engaged in their official duties.*" Motion carried by the following vote:

**YES:** Koon, Rife, Fleming, Berridge, McLemore, Rohling, **NO:** None

Sid Arpin with BG Consultants has not arrived to the meeting; therefore, Sid will present his information after the Officers Reports.

**Request to Close the City Office on July 5<sup>th</sup>** – City Clerk Schmitt and Superintendent Gomes requested on behalf of all the City employees to close the City office on July 5<sup>th</sup>. Council Member Rife confirmed that the employees would be using their vacation and/or personal time in order to be paid for that day.

Motion was made and seconded by Council Member Koon and Council Member Rohling to close the City office on July 5<sup>th</sup>, 2013. Motion carried by the following vote:

**YES:** Rohling, McLemore, Berridge, Fleming, Rife, Koon, **NO:** None

## **OFFICERS REPORT**

Council Member Fleming brought the discussion about Mosquito fogging. Superintendent Gomes reported that the contractor who did the fogging in Nickerson in the past is no longer in business. Clerk April Beshears, under Gomes' direction contacted several companies to no avail and upon further research it was found that purchasing a fogger would be the best option. April secured several quotes which varied greatly depending on the company, the fogger and the options selected. The best quote is between \$7,500 and \$9,000. Superintendent Gomes recommended that the City consider purchasing a fogger with the Council's approval. Gomes also recommended auctioning the old vac truck and jetter on Purple Wave to help offset the cost. Council Member Rife confirmed that a special license is not required for spraying chemicals of that type.

Motion was made and seconded by Council Member Rife and Council Member Rohling to approve the purchase of a fogger up to the amount of \$9,000 with the proceeds from the sale of old equipment reimbursing a portion of the purchase amount.

Motion carried by the following vote: **YES:** Fleming, Berridge, McLemore, Rohling, Koon, Rife, **NO:** None

Council Member Koon confirmed that the Ordinance banning Pit-bull and Rottweiler dogs is still on the books.

Superintendent Gomes reported that the Maintenance crew is almost done gathering the limbs from the storm.

Council Member Berridge relayed thanks to Superintendent Gomes from a citizen who was in distress which Gomes had stopped and assisted.

**BG Consultants and SCKEDD agreements** – Sid Arpin with BG Consultants presented an agreement between BG Consultants and the City of Nickerson for professional architectural and engineering services pertaining to the Community Center project.

Chuck Beth with SCKEDD (South Central Kansas Economic Development District) presented his contract for CDBG (Community Development Block Grant) Administrative Services which states that SCKEDD agrees to provide grant administration services to the City of Nickerson for the administration of the CDBG grant which may be awarded by the Kansas Department of Commerce to the City in 2014.

Motion was made and seconded by Council Member McLemore and Council Member Koon to enter into the agreement with BG Consultants. Motion carried by the following vote: **YES:** Berridge, Rohling, Koon, Rife, Fleming, McLemore, **NO:** None

Motion was made and seconded by Council Member Rife and Council Member Rohling to enter into the contract with SCKEDD contingent on approval from the Mayor and the City Attorney. Motion carried by the following vote: **YES:** McLemore, Rohling, Koon, Rife, Fleming, Berridge, **NO:** None

**THERE BEING NO FURTHER BUSINESS**, motion made and seconded by Council Member Rohling and Council Member Fleming to adjourn at 8:05 p.m. A Motion was carried by a show of hands.

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